

Report Date: January 16, 2009

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JAN 23 2009

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jeremy J. Half-Yallup

Case Number: 2:02CR02006-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 7/9/2003

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,
18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 7/15/2008

Original Sentence: Prison - 57 Months; TSR - 12
Months

Date Supervision Expires: 7/14/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 19 You shall participate in the home confinement program for a period up to 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, Court appearances, Court ordered obligations, or other activities as preapproved by the supervising probation officer.

CAUSE

On January 10, 2009, the defendant submitted a urine sample which tested presumptive positive for cocaine. A Breathalyzer test was also administered which registered a blood alcohol content level of .084. Mr. Half-Yallup admitted to using cocaine and consuming alcohol on January 9, 2009. He related he had been drinking alcohol for the past 3 weeks due to feeling depressed about his uncle, who is hospitalized with a serious illness. Mr. Half-Yallup was participating in aftercare treatment with Merit Resource Services (Merit), but due to his recent use of illegal substances and alcohol, he was terminated from aftercare and admitted into an intensive outpatient treatment program. The defendant acknowledged having a drug and alcohol problem and believes additional treatment will help him refrain from further use. Mr. Half-Yallup indicated he knows his current residence is not the best place for him and plans to move to a clean and sober home in Yakima at his earliest convenience. Based on the above information, this officer believes the above modification of the defendant's conditions of supervision will restrict his ability to frequent places where drugs and alcohol are used. Once the defendant secures a residence at a clean and sober home, he will be terminated from the home confinement program.

Prob 12B

Re: Half-Yallup, Jeremy J

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Mr. Half-Yallup has agreed to the proposed modification of his conditions of supervised release as noted in the enclosed waiver signed by the defendant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

1/16/09



Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Extension of Supervision as Noted Above
- ☐ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

Jan. 23, 2009

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

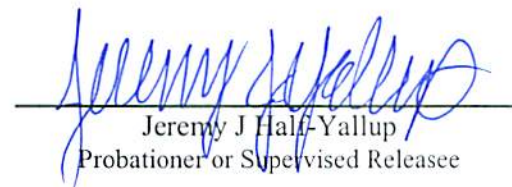
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Witness:



Jose Vargas
U.S. Probation Officer

Signed:



Jeremy J Half-Yallup
Probationer or Supervised Releasee

January 16, 2009

Date